

# MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

## MOTION INFORMATION STATEMENT

Caption [use short title]

UNITED STATES v. STEVEN LOERNACK

Docket Number(s): 07-2962-CR

Motion for: DISMISS APPEAL

Set forth below precise, complete statement of relief sought:

APPELLANT MOVES TO DISMISS HIS APPEAL

### MOVING PARTY:

- ☐ Plaintiff ☐ Defendant  
☒ Appellant/Petitioner ☐ Appellee/Respondent

### MOVING ATTORNEY:

MYLES H. MALMAN

[name of attorney, with firm, address, phone number and e-mail]

MALMAN, MALMAN & ROSENTHAL

3107 STIRLING ROAD

SUITE 101

FORT LAUDERDALE, FL 33312-8500

954-322-0065

myles@malman.com

### OPPOSING PARTY:

### OPPOSING ATTORNEY [Name]:

MICHAEL LEVY

[name of attorney, with firm, address, phone number and e-mail]

OFFICE OF THE UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF NEW YORK

ONE ST. ANDREWS PLAZA

NEW YORK, NY 10007

212-637-2346

michael.levy@usdoj.gov

Court-Judge/Agency appealed from:

UNITED STATES DISTRICT COURT - SDNY - JUDGE SWAIN

### Please check appropriate boxes:

Has consent of opposing counsel:

A. been sought?

☒ Yes

☐ No

B. been obtained?

☒ Yes

☐ No

Is oral argument requested?

☐ Yes

☒ No

(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes

☒ No

If yes, enter date

### FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?

☐ Yes ☐ No

Has this relief been previously sought

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by:

Deputy Clerk

Signature of Moving Attorney:

Date:

9-7-07

Has service been effected?

[Attach proof of service]

☒ Yes ☐ No

### ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

f Court

Date:

OCT 23 2007

By:

Joy Fallah Administrative Attorney

Form T-1080 (Revised 10/31/02).

ISSUED AS MANDATE:

November 16, 2007